

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Ko WATANABE *et al.* Confirmation No. 2190
Serial No. : 10/591,459
Filed : September 1, 2006
For : MOUNTING STRUCTURE FOR STORAGE BATTERY DEVICE
Group Art Unit : 3618
Examiner : Jeffrey J. RESTIFO

MAIL STOP AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

RESPONSE TO ELECTION/RESTRICTION REQUIREMENT

Sir:

In response to the Election/Restriction Requirement dated February 24, 2009, the Applicant hereby elects Species B directed to Figures 5-6 with traverse. The Applicant believes that claims 5-12 are readable thereon (and not claims 5-7 and 10-11 as contended in the Office Action).

It is also respectfully submitted that the mounting structures of both Species A and B are sufficiently related so that a thorough search for the subject matter of either Species would encompass a search for the subject matter of the other Species. Thus, it is respectfully submitted that the search and examination of the entire application could be made without serious burden. *See* MPEP § 803 in which it is stated that “if the search and examination of the entire application can be made without serious burden, the Examiner must examine it on the merits even though it includes claims to distinct or independent inventions.”

Should there be any questions concerning this matter, the Examiner is invited to contact the Applicants' undersigned attorney.

The Commissioner is authorized to charge any fees or credit any overpayment to the deposit account of Kenyon & Kenyon LLP, **Deposit Account No. 11-0600** .

Respectfully submitted,

Dated: March 20, 2009

By: /Daniel G. Shanley/
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